

REMARKS

Claims 1-19 were presented for examination. The Office Action rejects claims 1-19. Applicants submit that the arguments presented herein overcome the rejections and respectfully request that they be withdrawn. Claims 1-19 remain pending in the application.

Applicants are filing this response within the shortened statutory period. Therefore no fee is due with this filing; however, if a fee is due please charge Deposit Account No. 502295.

Rejection of claims 1, 10, and 13 under U.S.C. § 103(a)

The Office Action rejects claims 1, 10, and 13 under 35 U.S.C. § 103(a) as being unpatentable over Hizuka (U.S. Patent No. 6,550,977) in view of Maestranzi (U.S. Patent No. 6,745,911). Applicants respectfully traverse the rejection, because the Maestranzi reference is not analogous art and, therefore, should not be combined with Hizuka. Also, there is no suggestion or motivation to combine Hizuka and Maestranzi.

Hizuka is directed to an apparatus for connecting and releasing optical connectors to and from one another. "The assembly includes a base capable of mounting one of the optical fiber connectors, and a slidable base mounting the other connector. The slidable base can slide relative to the base, and one of the optical fiber connectors is fixed on the base, the other connector is inserted into the adapter mounted on the slidable base." See column 3, lines 23-28.

Maestranzi is directed to a safety release cable for a train. The safety release "has a release mechanism mounted on a jumper cable with the release mechanism having an easily gripped handle, which activates the release mechanism substantially along a lineal axis of symmetry for the cable housing, and which, in turn, facilitates the attaching to or the releasing of the jumper cable [from] the locomotive or transit car." See column 3, lines 51-56.

"In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." See M.P.E.P. § 2141.01(a).

Applicants' respectfully submit that Maestranzi is not in the field of applicants' endeavor. Applicants' claims are directed to an actuator to aid in releasing an optical module from a circuit board. In sharp contrast, Maestranzi is directed to a safety mechanism for releasing a jumper

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cable from a transportation (e.g., rail) car. A person of ordinary skill in the art of the applicants' invention would not be expected or motivated to look to the art area to which Maestranzi is directed (i.e., U.S. Cl. 213/75 Railway Draft Appliances / Couplings) when trying to solve the problem addressed by applicants' invention. Therefore, Maestranzi is not in the field of applicants' endeavor.

Although it is true that a reference can be analogous art if it is reasonably pertinent even though it is not in the field of the applicant's endeavor, that is not the case here. "[A] reference is reasonably pertinent if, even though it may be in a different field from that of the inventor's endeavor, it is one which, because of the matter with which it deals, logically would have commended itself to an inventor's attention in considering his problem." See M.P.E.P. § 2141.01(a). Applicants submit that Maestranzi is not reasonably pertinent to problem with which they are concerned.

The safety release mechanism of Maestranzi and the actuator of applicants' invention differ drastically with respect to the items they operate on and the environments in which they are used. For example, Applicants' invention is used with optical cables and sized to fit and operate in a small and constrained space (i.e., mounted on a circuit board). In contrast, Maestranzi is concerned with connecting rail cars, not optical cables, and designed to operate in the space between rail cars, which is a much larger than the circuit board. Considering these significant differences it is not logical that one concerned with coupling and releasing optical cables to and from a circuit board would consider the teachings of Maestranzi.

For the above reasons, Maestranzi is not analogous art and thus it is improper to combine Hizuka with Maestranzi. Even if it is maintained the Maestranzi is analogous art, it is not obvious to combine Hizuka and Maestranzi.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See M.P.E.P. § 2143.01. Applicants respectfully submit that there is no suggestion or motivation to combine Maestranzi with Hizuka.

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As shown and described, Hizuka already includes a mechanism for releasing the optical cable from each other. "[W]hen a required force is applied rearward on the finger piece 81 of the slideable base 75, the connector 3-1 may be extracted from the adapter 15 ..." See column 10, lines 55-58 and FIGS. 18 and 19. Hizuka does not state any deficiencies with the described release mechanism. So why would there be a suggestion or motivation to replace the described release mechanism with the release mechanism of Maestranzi? Therefore, there is no motivation to combine Maestranzi with Hizuka, because Hizuka already includes a release mechanism.

Clearly there is no suggestion or motivation to include an optical module and faccplate that is described in Hizuka at the cable interface of the transportation car and cable of Maestranzi.

For at least the above reasons, applicants respectfully request that the rejection of claims 1-19 be reconsidered and withdrawn.

Rejection of 2-9, 11, 12, and 14-19 under 35 U.S.C. § 103

The Office Action rejects claims 2-9, 11, 12, and 14-19 under 35 U.S.C. 103(a) as being unpatentable over Maestranzi in view of Hizuka. Claims 2-9, 11, 12, and 14-19 depend directly or indirectly from patentable independent claims 1, 10 and 13, incorporate all of their limitations, and therefore are patentably distinguishable over the cited references for at least those reasons provided in connection with the independent claims.

CONCLUSION

In view of the arguments made herein, applicants submit that the application is in condition for allowance and requests early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the applicants' representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-2003 ext. 13.

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